



# *Town of Brookline*

## *Massachusetts*

### **PLANNING BOARD**

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9/27/19

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To: Brookline Zoning Board of Appeals  
From: Brookline Planning Board  
Date: 10/24/19 Zoning Board of Appeals Meeting  
Subject: Demolish a three-family dwelling and replace with new two-family dwelling  
Location: **44-46 Vernon Street**

Atlas Sheet: 34	Case #: 2019-0007
Block: 169	Zoning: F-1.0
Lot: 12	Lot Area (s.f.): 5,520

Board of Appeals Hearing: **October 24, 2019 at 7:00 pm or later**

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### **BACKGROUND**

The Planning Board first reviewed this application at their March 21, 2019 meeting. Board members raised concerns about the amount of parking that was proposed and its layout as well as the loss of open space. The applicant has reduced the scope of the proposal from a three-family dwelling to a two-family dwelling to address the Board's concerns.

The Preservation Commission found this structure to be historically non-significant in November 2017.

### **SITE AND NEIGHBORHOOD**

44-46 Vernon Street is a three-story, three-family dwelling constructed in 1900. The property is located near the intersection of Harris Street. The dwelling is located both

next to and across the street from larger, multi-unit apartment buildings. To the left of the building is a driveway serving the home and to the right is a driveway that provides access to the abutting property's parking area. There is a detached two-car garage at the rear.

### **APPLICANT'S PROPOSAL**

The applicant, 44 Vernon LLC, proposes to demolish a three-family dwelling and construct a new two-family dwelling and four parking spaces. The structure to be demolished has 4,275 square feet and three parking spaces. The new structure will contain 5,503 square feet and four parking spaces. The proposed dwelling will meet all dimensional requirements for the F-1.0 zoning district. The dwelling will include two units, each unit containing 3 floors separated by a party wall, and a roof deck.

The applicant proposes a driveway at the left side of building leading to an open-air parking area containing two tandem parking spaces.

### **FINDINGS**

#### **Section 4.07 – Table of Use Regulations Use #5**

A Special Permit is required for an attached dwelling provided that no row of such units shall consist of more than two units.

	Required	Existing	Proposed	Finding
Side Setback - Parking Area	10'	n/a	0'	Special Permit*
Driveway Setback	5'	n/a	0'	Special Permit*

#### **Section 5.43 – Exceptions to Setback Requirements**

#### **Section 6.04.5.c.2 – Design of All Off-Street Parking Facilities**

*\* Under Section 5.43, the Board of Appeals may by special permit modify the setback requirements above provided that such modification is counterbalanced by appropriate landscaping and screening.*

### **PLANNING STAFF ANALYSIS**

The Planning staff is pleased to see improvements to this property which has been in disrepair. Additionally, the proposed dwelling meets all dimensional requirements for an F-1.0 zoning district and staff is pleased to see the FAR met, as the Planning Board prefers applicants to meet all dimensional requirements in cases of new construction. The staff's only concerns are focused on the parking area which does require setback

relief and is set very close to the property line. The staff feels that because this property is located so close to large multi-unit buildings, the impact of this new structure will be relatively minimal. The staff would like the Planning Board to weigh in on the design and the parking area. Staff would also like to know if there is support from the abutter on the left.

### **PLANNING BOARD COMMENTS**

The Planning Board is generally supportive of this proposal. The Board does not oppose the contemporary design and feels that it has been well-executed. The Board does, however, have minor concerns with the proposed fences and gating around the parking areas. Dimensions are also missing from the architectural drawings that confirm that the window “bump-outs” comply with the Zoning By-Law. The Board therefore suggests conditions that would require that the applicant consult with abutters on fencing and eliminate the gates.

**The Planning Board recommends approval of the site plan dated 9/19/2019 by FSL Associates and the floor plans and elevations dated 9/18/2019 by Golden Architects, subject to the following conditions:**

1. Prior to the issuance of a building permit, the applicant shall submit a final site plan, floor plans and elevations with all materials noted, showing the elimination of the gates to the parking areas, subject to the review and approval of the Assistant Director of Regulatory Planning.
2. The applicant shall consult with immediate abutters to determine appropriate fencing (or lack thereof) on both sides of the property and adjust the landscaping plan accordingly.
3. Prior to the issuance of a building permit, the applicant shall submit a landscaping plan showing any counterbalancing amenities and showing compliance with Condition #2 subject to the review and approval of the Assistant Director of Regulatory Planning.
4. Prior to the issuance of a building permit, the applicant shall submit to the Building Commissioner for review and approval for conformance to the Board of Appeals decision: 1) a final site plan stamped and signed by a registered engineer or land surveyor; 2) final floor plans and building elevations stamped and signed by a registered architect; and 3) evidence that the Board of Appeals decision has been recorded at the Registry of Deeds.



44-46 Vernon Street